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Attorneys for Josias N. Dewey, Court-Appointed  
Temporary Receiver

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, NORTHERN DIVISION**

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**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**DIGITAL LICENSING INC. (d/b/a  
“DEBT Box”), a Wyoming corporation;  
JASON R. ANDERSON, an individual;  
JACOB S. ANDERSON, an individual;  
SCHAD E. BRANNON, an individual;  
ROYDON B. NELSON, an individual;  
JAMES E. FRANKLIN, an individual;  
WESTERN OIL EXPLORATION  
COMPANY, INC., a Nevada corporation;  
RYAN BOWEN, an individual; IX  
GLOBAL, LLC, a Utah limited liability  
company; JOSEPH A. MARTINEZ, an  
individual; BENJAMIN F. DANIELS, an  
individual; MARK W. SCHULER, an  
individual; B & B INVESTMENT  
GROUP, LLC (d/b/a “CORE 1  
CRYPTO”), a Utah limited liability  
company; TRAVIS A. FLAHERTY, an  
individual; ALTON O. PARKER, an  
individual; BW HOLDINGS, LLC (d/b/a  
the “FAIR PROJECT”), a Utah limited  
liability company; BRENDAN J.**

**DECLARATION OF JASON A.  
MCNEILL IN SUPPORT OF  
RECEIVER’S APPLICATION FOR  
ATTORNEY FEES AND COSTS**

**Case No. 2:23-cv-00482-RJS**

**Judge Robert J. Shelby**

**Magistrate Judge Dustin B. Pead**

**STANGIS, an individual; and MATTHEW  
D. FRITZSCHE, an individual,**

**Defendants,**

**ARCHER DRILLING, LLC, a Wyoming  
limited liability company; BUSINESS  
FUNDING SOLUTIONS, LLC, a Utah  
limited liability company; BLOX  
LENDING, LLC, a Utah limited liability  
company; CALMFRITZ HOLDINGS,  
LLC, a Utah limited liability company;  
CALMES & CO, INC., a Utah  
corporation; FLAHERTY  
ENTERPRISES, LLC, an Arizona limited  
liability company; IX VENTURES FZCO,  
a United Arab Emirates company; PURDY  
OIL, LLC, a Nebraska limited liability  
company; THE GOLD COLLECTIVE  
LLC, a Utah limited liability company; and  
UIU HOLDINGS, LLC, a Delaware  
limited liability company,**

**Relief Defendants.**

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The undersigned, Jason A. McNeill, hereby declares and swears as follows, pursuant to Utah Code section 78B-18a-104.

1. I am over twenty-one years of age and have personal knowledge of the facts in this declaration (the “Declaration”). If asked to testify, I would and could testify as to the matters set forth herein.

2. I am a managing partner at the law firm McNeill Von Maack, LLC (“MVM”) and am counsel of record for the court-appointed temporary receiver Josias N. Dewey (“Receiver”) in the above-captioned matter. At all times relevant, MVM served in the capacity as local counsel for the Receiver. In managing this law firm and personally performing the legal work performed by MVM, I have personal knowledge regarding the below.

**THE ATTORNEY FEES CHARGED WERE REASONABLE AND NECESSARY**

3. On July 28, 2023, the Court entered a Temporary Receivership Order (“Receivership Order”) wherein the Court appointed the Receiver and granted him various authority and instructions to, among other things, collect and take custody of assets, assume control over defendant Digital Licensing, Inc., conduct investigations and discovery, and other actions articulated in the Court’s Receivership Order.

4. Upon such appointment, the Receiver engaged me and Mr. Schnibbe of MVM to assist the Receiver in this matter.

5. To accomplish the legal work required to fulfill such obligations as Receiver, MVM performed legal work between July 28, 2023 and October 6, 2023.

6. The lawyers performing work on this matter include myself, with twenty-two (22) years of legal experience<sup>1</sup>, and Eric Schnibbe, who has twenty-six (26) years of legal experience<sup>2</sup>.

7. The legal work that I performed in this matter was charged at the hourly rate of \$455. The legal work performed by Mr. Schnibbe was at the hourly rate of \$435 per hour.

**Background and Experience**

8. I was admitted to practice in Nevada in 2002, and in Utah in 2004. I am a co-founder and partner at MVM and a member in good standing of the Utah State Bar and State Bar of Nevada. I maintain an AV Preeminent® peer-review rating and a Preeminent® client-review

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<sup>1</sup> <https://www.mvmlegal.com/jason-a-mcneill>

<sup>2</sup> <https://www.mvmlegal.com/eric-k-schnibbe>

rating by Martindale-Hubbell®. MVM and I are ranked in Chambers USA® in Litigation: General Commercial. I am consistently included on the lists of Super Lawyers® and Legal Elite®. Prior to co-founding MVM in early 2018, I was partner at Magleby, Cataxinos & Greenwood, P.C.

9. My practice has focused on complex commercial litigation, and includes substantial experience in federal and state courts located in numerous jurisdictions around the country. I have also obtained numerous favorable results through trials, arbitration, motion practice and settlement.

10. Eric K. Schnibbe is an attorney licensed to practice in Utah and Nevada. Mr. Schnibbe has been practicing law since 1998.

11. Mr. Schnibbe's practice likewise focuses on complex commercial litigation and appeals, and includes substantial litigation experience in state and federal courts.

12. Mr. Schnibbe maintains an AV Preeminent® peer-review rating by Martindale-Hubbell®, and is consistently included on the lists of Super Lawyers® and Legal Elite®.

13. In 1999, Mr. Schnibbe obtained his juris doctorate from the University of Utah S.J. Quinney College of Law, where he was an editor for the Utah Law Review. In 1996, Mr. Schnibbe received a bachelor's degree in political science from the University of Utah. Following graduation, Mr. Schnibbe served two judicial clerkships with the Utah Court of Appeals. Mr. Schnibbe has likewise obtained numerous favorable results, including in 2016 when, serving as co-counsel in a five-week jury trial, helped his client obtain a \$133 million jury verdict for theft of trade secret and breach of fiduciary duty case ultimately affirmed by the Utah Supreme Court.

14. Based on my litigation experience of the past 22 years, I have knowledge of working with other lawyers and learning of the hourly rates customarily charged in this location for this kind of legal work. The number of hours spent on this matter and the hourly rates MVM charged in this matter are reasonable and customary in Utah for the legal work provided.

**The Receiver Incurred Reasonable Attorney Fees, Costs, and Expenses in this Action**

15. All legal work and resulting legal fees, costs, and expenses incurred by the Receiver are set forth in detail in MVM's legal invoices.

16. In this matter, MVM issued four total invoices for its representation of the Receiver, summarized as follows:

<b>Date of Invoice</b>	<b>Invoice Number</b>	<b>Attorney Fees</b>	<b>Costs</b>	<b>Expenses</b>
8-4-2023	018400	\$1,020.50	\$40.82	\$0
9-05-2023	018515	\$1,289.50	\$51.58	\$150
10-05-2023	018561	\$12,154.00	\$486.16	\$25.20
11-05-2023	018635	\$3,338.50	\$133.54	\$0
<b>Totals</b>		<b>17,802.50</b>	<b>\$712.10</b>	<b>\$175.20</b>

<b>Attorney</b>	<b>Total Hours Spent</b>
Jason A. McNeill	31.0
Eric K. Schnibbe	8.5

17. True and correct copies of the MVM's monthly invoices reflecting the legal work done are attached as **Exhibit F-3** to the Application (with bank account number redacted).

18. As reflected in the monthly MVM invoices, each attorney working on this case kept contemporaneous individual time records describing the legal work performed, the date the work was performed, the lawyer who performed the work, the rate charged, and the amount incurred. Time was kept in one-tenth of an hour, or six-minute, increments (*i.e.*, 0.1 increments).

19. The legal fees incurred in connection with this matter included legal work related to drafting and filing all appropriate notices of appearance and pro hac vice applications for MVM and Receiver's lead counsel, Ms. Magee, Mr. Mascianica and Mr. Balthazor with the law firm Holland & Knight; legal work related to assisting lead counsel in complying with local rules and local practices before the court; legal work in researching case law and drafting edits and amendments to the various legal memoranda and status reports submitted by the Receiver in connection with responding to various motions filed by Defendants as well as his own required submissions; evaluating substantive motions pertaining to the Receiver; assisting lead counsel in preparing for hearings and oral arguments before the Court; engaging in various correspondence and telephone calls regarding Receiver's court-filings, next steps, and division of labor; facilitating the finalizing and submission of filings with the Court.

20. As reflected above, the total attorney fees incurred by Receiver for MVM's legal work rendered was \$17,802.50.

21. These legal fees charged by MVM are reasonable in light of the complexity, difficulty and contentiousness of the litigation; the expertise and experience of the lawyers involved; the efficiency of our preparation and presentation of the motions and related materials;

the number of hours spent on this case and in seeking to advise the client in the responsibilities appointed to the Receiver.

22. In addition to attorney fees, the Receiver incurred costs and expenses associated with pursuing this matter. Expenses included the filing fees for Pro Hac Vice applications and court-transcript, and the costs include the internal litigation costs calculated contractually as a 4% flat fee. The flat fee covers MVM's items such as telephone charges, postage, photocopy charges, etc. For expenses, the Receiver incurred \$175.20 and for costs the Receiver incurred \$712.10 in this matter.

23. Therefore, in total, the Receiver has incurred \$18,689.80 (the sum of \$17,802.50 in fees plus \$175.20 in expenses plus \$712.10 in costs) with MVM for reasonable and necessary legal representation in this matter.

#### **Certification of Compliance with SEC Billing Instructions**

24. I have read the application for attorney fees that seeks payment of legal fees, costs and expenses.

25. To the best of my knowledge, information and belief formed after reasonable inquiry, the application and all fees and expenses therein are true and accurate and comply with the Billing Instructions.

26. The fees contained in the application are based on the rates listed above, and such fees are reasonable, necessary and commensurate with the skill and experience required for the activity performed.

27. I have not included in the amount for which reimbursement is sought the amortization of the cost of any investment, equipment, or capital outlay.

28. In seeking reimbursement for a service which MVM has justifiably purchased or contracted for from a third party, MVM requests reimbursement only for the amount billed to MVM by the third-party vendor and paid by MVM to such vendor.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

DATED this 16<sup>th</sup> day of April, 2024. Entered in Salt Lake County, Utah.

**MCNEILL | VON MAACK**

/s/ Jason A. McNeill

Jason A. McNeill